

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

Donna W. Sherwood, et al., Plaintiffs, vs. Tennessee Valley Authority Defendant.	Case No.: 3:12-CV-00156 Varlan/Poplin
--	--

PLAINTIFFS' RESPONSE TO TVA'S MOTION TO FILE ADMINISTRATIVE RECORD

TVA requests Court permission to file its claimed Administrative Record. The Plaintiffs do not believe any such motion or permission is necessary, noting that TVA filed its first claimed administrative record [Doc. 101-126, consisting of some 21,489 pages] without seeking court approval. The second [Doc. 360-376, consisting of some 942 pages] was filed, not with “permission” from the court, but at the Court’s specific direction [Doc. 358] in keeping with the Order of the Court of Appeals after TVA had failed to file the administrative record on the first remand as the Court of Appeals had ordered it to do.

TVA requests permission to file the administrative record on DVD disc. Plaintiffs object to this because that will complicate not only the citation to the record in this Court but will also complicate any necessary appellate review. Furthermore, we doubt that this claimed administrative record [said to be 300 documents] will be any more voluminous than the first claimed administrative record which was approximately 21,489 pages (including the corrected administrative record) yet TVA successfully uploaded it.

(Plaintiffs’ Proposed Order emailed to chambers per section 4.9 of the Court’s ECF Rules and Procedures including redline version of TVA’s proposed order and a final version.)

Dated this 28th day of October,
2022.

/s/ Donald K. Vowell
Donald K. Vowell
6718 Albunda Drive
Knoxville, TN 37919
865/292-0000
865/292-0002 fax
don@vowell-law.com
www.vowell-law.com

Attorney for the Plaintiff

Certificate of Service

I hereby certify that on October 28, 2022, a copy of the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

/s/ Donald K. Vowell
Donald K. Vowell